

CHAPTER 1 DESCRIPTION OF ORGANIZATION

561—1.1(17A,455A) Authority. The department of natural resources was created by 1986 Iowa Acts, chapter 1245, effective July 1, 1986. The primary authority of the department relating to energy and geological resources is codified in Iowa Code chapters 458A, 460A and 473. The primary authority of the department relating to state parks, forests, fish, wildlife, and land and water recreation resources is codified in Iowa Code chapters 321G, 350 and 456A to 484A. The primary authority of the department relating to environmental protection and management is codified in Iowa Code chapters 455B, 455C, and 464B. 1986 Iowa Acts, chapter 1245, sections 1801 to 1809, establish the department, the natural resource commission, and environmental protection commission. The authority delegated to the department had previously been delegated to the state conservation commission, the energy policy council, the geological survey, and the water, air and waste management department.

561—1.2(17A,455A) Mission and programs. The department was created to consolidate the management and regulation of the natural resources of the state, including state parks, recreation areas, preserves and forests; the environment; energy and geological resources; fish, wildlife, and other land and water recreation resources. The mission of the department is to ensure the proper management and protection of these resources while actively encouraging public understanding, use, and enjoyment of these resources, in a manner consistent with sound management principles.

1.2(1) Air pollution. The department is the agency of the state to prevent, abate, and control air pollution, by developing comprehensive plans and programs, establishing air quality and emission standards, issuing permits for construction of air contaminant sources and control equipment, requiring monitoring of the same, enforcing standards and permit requirements, providing technical assistance and educational and training programs, and reviewing and evaluating local control programs.

1.2(2) Drinking water. The department is the agency of the state to conduct the public water supply program by adopting drinking water standards; issuing construction and operation permits for public water supplies; certifying the operators of certain public water supplies; and enforcing the statutes, rules, and permits relating to public drinking water supplies. The department also provides minimum standards for private drinking water supplies which are regulated by local boards of health and registers well drillers.

1.2(3) Energy. The department is the agency of the state to develop and implement plans and policies for the development, utilization, and conservation of all energy sources in the state by collection, evaluation, and dissemination of energy information to the citizens and public officials; allocation of energy supplies; investigation and promotion of alternative energy sources, including solar energy and other renewable sources; and administering energy conservation programs, including financial assistance programs.

1.2(4) Fish and wildlife. The department is the agency of the state to manage fish and wildlife resources by licensing activities impacting fish and game; enforcement of fish and wildlife laws and rules; land acquisition and other habitat development; collection and dissemination of information; establishing public hunting, fishing, and trapping areas; propagating, purchasing, restoring, nurturing, stocking or otherwise managing fish and wildlife; advising and assisting private and local government management of fish and wildlife; and carry on active programs for the protection, interpretation and public enjoyment of fish and wildlife species.

1.2(5) Flood plain development. The department is the agency of the state to promote the protection of life and property from flooding and to protect and conserve the water resources of the state through regulation of construction and excavation within floodways and flood plains, by establishing administrative thresholds for the types of flood plain development which require a permit from the department; issuing appropriate permits; developing a flood plain mapping plan; and enforcing the statutes, rules, and permits relating to flood plain development.

1.2(6) Forests and forestry. The department is the agency of the state to manage and protect forests of the state by providing professional forestry advice to landowners, assisting landowners with

woodland protection from insects, disease, fire, and livestock, managing state forests for educational, recreational, and economic benefits, providing nursery stock, and regulating timber buyers.

1.2(7) *Geology.* The department is the agency of the state to evaluate the geology and hydrology of the state, and manage associated products by collecting, interpreting, and reporting information on basic geologic features and products, including surface and groundwater; and by regulating oil, gas, or metallic mineral production through licensing, rules, and enforcement.

1.2(8) *Hazardous materials and conditions.* The department is the agency of the state to regulate the handling and disposal of hazardous waste and to prevent, abate, and control hazardous conditions resulting from releases of hazardous substances to the natural environment, by establishing standards for the storage, transportation, treatment, and disposal of hazardous waste; issuing site licenses for certain hazardous waste facilities; maintaining a registry of abandoned or uncontrolled hazardous material disposal sites; responding to hazardous conditions; regulating certain underground storage tanks; enforcing the statutes and rules relating to hazardous waste handling and hazardous conditions; and informing and educating the public about hazardous materials.

1.2(9) *Parks, recreation, and preserves.* The department is the agency of the state to facilitate and promote public outdoor recreational opportunities by developing comprehensive plans; by acquiring, establishing, planning, and managing specific parks, preserves, and water bodies for public use; advising and assisting local governments and private persons in establishing such facilities; licensing and permitting private use of sovereign land and waters; regulating water navigation safety and snowmobiling; informing the public of use opportunities; enforcing conservation laws; and protecting and managing threatened and endangered plant and animal species.

1.2(10) *Solid waste.* The department is the agency of the state to regulate the handling and disposal of solid waste, by establishing standards for the handling and disposal of solid waste; issuing construction and operation permits for solid waste facilities; and enforcing the statutes, rules, and permits relating to solid waste handling. The department also establishes rules relating to beverage container redemption, which are enforced by local officials.

1.2(11) *Water pollution.* The department is the agency of the state to prevent, abate, and control surface and groundwater pollution, by developing comprehensive plans and programs; establishing standards for water quality and treatment of wastewater; issuing permits for the construction and operation of wastewater disposal systems; certifying public wastewater treatment plant operators; administering certain grants for construction of municipal wastewater disposal systems; regulating other potential sources of groundwater contamination; enforcing the statutes, rules, and permits relating to water pollution control; and informing and educating the public. The department also establishes minimum standards for private sewage disposal systems, which are regulated by local boards of health, and registers well drillers.

1.2(12) *Water use.* The department is the agency of the state to ensure the orderly development, wise use, protection, conservation, and public understanding of the surface and groundwater resources of the state by issuing appropriate permits for the withdrawal, diversion or storage of water; by enforcing statutes, rules, and permits relating to the use of water; and by allocating water during periods of shortage; and through public information activities.

561—1.3(17A,455A) Organization.

1.3(1) *General.* The department's organizational structure consists of the natural resource commission, the environmental protection commission, the state advisory board for preserves, the director, the deputy director, and seven administrative divisions, described in subrule 1.3(2).

The natural resource commission is responsible for establishing policy and adopting rules for the natural resource conservation and management, and recreation programs of the department. This commission also acts as a hearing authority in contested cases, and approves or disapproves land and water acquisitions or dispositions. The substantive rules of the natural resource commission are found under agency number 571 of the Iowa Administrative Code.

The environmental protection commission is responsible for establishing policy and adopting rules for the control and protection of the state's water and air resources, and for the management of wastes. This commission also acts as hearing authority in contested cases, and issues site licenses for certain

hazardous waste facilities. The substantive rules of the environmental protection commission are found under agency number 567 of the Iowa Administrative Code.

The state advisory board for preserves approves land or water areas for dedication as preserves, makes rules, and performs advisory functions related to the establishment and maintenance of preserves. The substantive rules of the state advisory board for preserves are found under agency number 575 of the Iowa Administrative Code.

The energy and geological resource policies are established by the department, and the rules relating to this subject are found under agency number 565 of the Iowa Administrative Code.

1.3(2) *Administrative divisions of the department.*

a. Director. The director, who is appointed by the governor and subject to confirmation by the senate, and who serves at the pleasure of the governor, is the chief administrative officer of the department. In that capacity the director administers the programs and services of the department in compliance with the Iowa Code and the rules adopted by the commissions or department. The duties of the director include: recommending to the commissions the adoption of rules for the effective administration of the department and implementation of the programs and services of the department; promulgating rules related to energy and geological services and the organization of the department; the preparation of the annual budget request and federal grant applications; the establishment of the administrative structure of the department; and other actions to administer and direct the programs of the department.

The administrators of the seven divisions and the deputy director report to the director.

b. Deputy director. The deputy director, appointed by the director, directs and administers the department in the director's absence, and serves as liaison with the Iowa general assembly and governor on legislative issues.

c. Coordination and information division. The coordination and information division has responsibility for legal services, government liaison, information and education, and planning. The division consists of three bureaus—government liaison, information and education, and planning.

(1) The government liaison bureau activities include legal services, legislative liaison, county conservation board coordination, snowmobile trail planning and administration, and state water coordination. Legal services activities include providing legal advice to the department staff and commissions, conducting negotiations, and when necessary prosecuting administrative enforcement proceedings to obtain compliance with department statutes and rules; preparing referrals to the attorney general; and drafting or reviewing enforcement procedures, legislative proposals, and rules. This bureau also coordinates with local, state, regional, and federal government officials or agencies on major natural resource issues, coordinates the county conservation board program, administers the snowmobile trail program, coordinates the transfer of management of state lands to governmental subdivisions, and assists in liaison with the Iowa general assembly.

(2) The information and education bureau provides information and education to the public on department programs and relevant natural resource issues. Activities include publishing the "Iowa Conservationist"; preparing and distributing informational brochures, films and exhibits, television and radio news, and public service announcements; news releases; and conducting a conservation education program.

(3) The planning bureau prepares long-range comprehensive plans, conducts supply and demand studies relative to outdoor recreation, conducts other special projects, and provides intra-agency and interagency coordination aimed at development of department positions and conveyance of those positions to other agencies and individuals.

d. Administrative services division. The administrative services division is responsible for budget and grants, finance, administrative support, data processing, licensing, construction services, and land acquisition and management. It consists of seven bureaus:

(1) The budget and grants bureau administers federal and state grants-in-aid programs; prepares the agency budget and grant requests, and the operating budget; reviews and monitors department budgets and contracts; and conducts special fiscal studies.

(2) The finance bureau is responsible for maintaining financial records; maintaining an inventory of department equipment and property; processing payrolls, personnel transactions, travel vouchers,

and claims for payments of goods and services; processing cash receipts; and coordinating purchasing between field units and the department of general services.

(3) The administrative support bureau provides office support for the department, including records management; forms management; mail; provision of common supplies, central office telephone service and vehicle pool; word processing; data entry; reception services; technical library management; and information coordination.

(4) The data processing bureau develops and maintains computer-based information systems used by the department, maintains the data processing equipment used by the department, provides data processing user training and assistance for the department, provides system operation services for the department, maintains space for computer-based data files, and serves as the primary contact with the computer centers used by the department.

(5) The licensing bureau provides most of the department applications, permits, and licenses to the public. The bureau designs and orders the forms; distributes them to field personnel, county recorders, and direct license depositories; instructs outlets on issuing and reporting requirements; supervises county recorders in the registration of boats and snowmobiles; issues licenses and permits directly through the mail; authorizes and supervises direct license depositories; and maintains appropriate records.

(6) The construction services bureau provides the engineering and contracting services needed for the construction of department facilities. Activities include surveying and designing; administering construction contracts; contracting for the services of consulting architectural and engineering firms; and providing technical assistance for the proper operation and maintenance of department facilities.

(7) The land acquisition and management bureau acquires land and coordinates land management practices. Activities include negotiating for purchase or donation; providing relocation assistance; preparing or contracting for land appraisals; contracting and recording land surveys; coordinating the leasing of department land; establishing and marking land boundaries; resolving boundary disputes and private encroachment upon state lands; maintaining land records; issuing sand and gravel permits; and coordinating the soil erosion control program above state lakes with the division of soil conservation within the department of agriculture and land stewardship.

e. Parks, recreation, and preserves division. The parks, recreation, and preserves division is responsible for programs relating to water access development, state parks and recreation areas, and preserves. The division consists of the parks and recreation bureau and the preserves and ecological services bureau.

(1) The parks and recreation bureau manages state parks and recreation areas and performs recreational facilities planning and development on state forest camping areas. Activities include operating and maintaining area facilities; protecting and managing the flora and fauna; monitoring concession operators; providing information to the public concerning use opportunities; enforcing conservation laws; and planning and developing new park and recreation areas. The bureau includes six district management offices, identified in rule 1.4(17A,455A).

(2) The preserves and ecological services bureau provides liaison with the state advisory board for preserves, provides professional technical assistance to the department and other interested persons on matters of natural resource management and protection, and administers the state program for threatened and endangered species.

f. Forests and forestry division. The forests and forestry division is responsible for programs relating to state forests and forestry, and operation of the state forest nursery. The division consists of the state forests and management bureau and the forestry services bureau.

(1) The state forests and management bureau manages state forests on a multiple-use basis; provides professional forestry service to the other divisions of the department; provides nursery stock for forestation, erosion control, and wildlife cover; cooperates with the Iowa department of corrections in a rehabilitation program for prison inmates; and manufactures wood products for the department and for limited sale.

(2) The forestry services bureau provides professional forestry assistance to private landowners, political subdivisions, and private wood-using industries; provides surplus federal equipment to local

fire departments for fire control; and participates with federal agencies in various forestry-related programs; maintaining reports of fruit tree and forest reservations from county auditors.

g. Energy and geological resources division. The energy and geological resources division is responsible for programs related to energy, geological survey, and oil and gas production. The division consists of the energy bureau and the geological survey bureau.

(1) The energy bureau manages the energy programs of the department. The bureau gathers data and establishes a data bank; develops public education and communication programs on energy use and conservation; coordinates with other states on fuel allocation problems; reduces hardship due to energy supply shortages through allocation of state-owned or operated energy supplies in conjunction with the federal set-aside program; investigates and recommends to the department legislation on development and use of alternative sources of energy in Iowa and the reduction of dependence on nonrenewable resources; assesses information to enable the director to determine when the health, safety, or welfare of the people of the state is threatened by an actual or impending acute shortage of usable energy, notifies the governor what emergency measures are necessary, and utilizes the emergency powers that the governor delegates to the department; administers major federal conservation programs in Iowa, including grant programs to schools, hospitals, local government, and public care facilities; develops a program to annually give public recognition within each congressional district to innovative methods of energy conservation; develops a plan and incentive program for instituting solar energy demonstration projects within Iowa; assists development of solar energy systems within Iowa by providing technical and financial aid; and investigates the relationship between public energy suppliers and the usage of solar energy applications.

(2) The geological survey bureau collects, interprets, and reports information on basic geologic features and products of the state, including surface and groundwater; conducts various research programs to further the geologic and hydrologic knowledge of the state; and promotes and regulates oil, gas, and metallic mineral production in Iowa through issuance of permits and enforcement of statutes and rules relating to such production.

h. Environmental protection division. The environmental protection division is responsible for programs relating to water pollution control, water supply, flood control, solid wastes, hazardous wastes, and air pollution control. The division consists of the surface and groundwater protection bureau, the air and solid waste protection bureau, and the field evaluation and emergency response bureau.

(1) The surface and groundwater protection bureau is responsible for water pollution control, water supply, and flood control programs. The bureau consists of five sections: wastewater, construction grants, water quality planning, flood plain, and water supply.

1. The wastewater section reviews applications and issues or denies permits for the construction and operation of wastewater disposal systems, and for the discharge of wastewater, and certifies or denies certification of property as pollution control property.

2. The construction grants section reviews and processes documents related to wastewater construction grant applications and issues or denies permits for the construction of grant-funded wastewater treatment facilities.

3. The water quality planning section is responsible for developing rules and standards for flood plain management, drinking water, water use, water pollution control, and construction grants, and conducting special studies and evaluating alternative control strategies in surface and groundwater quality and quantity protection program areas.

4. The flood plain section reviews applications and issues or denies permits for construction or excavation within a floodway or flood plain, coordinates and approves flood control works, provides flood plain information and technical assistance to local governments, and conducts the department's dam safety program. This section also provides technical expertise to other branches and divisions of the department in matters relating to surface water hydrology and hydraulics, and certifies local programs for qualification under the national flood insurance program.

5. The water supply section reviews applications and issues or denies permits for withdrawal, diversion, storage, or use of water, and for the construction and operation of public drinking water sup-

plies. This section is also responsible for coordination of the allocation of storage for water supply in multipurpose reservoirs constructed with state or federal funds, and performs monitoring and compliance activities related to public drinking water supplies.

(2) The air quality and solid waste protection bureau is responsible for air pollution control, solid waste, and hazardous materials control programs.

1. The air quality section reviews applications and issues or denies permits and tax certifications for air pollution sources and control equipment; develops rules and standards for air pollution control; and conducts special studies and evaluates alternative control strategies.

2. The solid waste section reviews applications and issues or denies permits for solid waste disposal or handling facilities and certain hazardous waste facilities; develops rules and standards for solid waste management; administers beverage container deposit issues; and conducts studies and evaluates alternative control strategies.

3. The abandoned/uncontrolled sites section coordinates the investigation and identification of abandoned or uncontrolled hazardous substance sites, prepares and updates the registry of these sites, and coordinates cleanup or control activities at these sites. This section also develops rules and standards for regulated underground storage tanks, and administers this program.

(3) The field evaluation and emergency response bureau conducts investigations of facilities or activities regulated by the division, on its own initiative or in response to citizen complaints, and monitors compliance with the statutes and rules administered by the division. The bureau consists of six field offices, and an emergency response group. The six field offices, identified in rule 1.4(17A,455A), provide on-site response to reports of hazardous conditions, natural disasters, and complaints; conduct inspections and make reports on water, air, and waste management facilities; and recommend enforcement actions when necessary and appropriate to fulfill the purpose and function of the division. The emergency response group coordinates department actions and provides technical assistance relating to hazardous conditions.

i. Fish and wildlife division. The fish and wildlife division is responsible for programs relating to wildlife, law enforcement, fisheries, and land acquisition and management. The division consists of the law enforcement bureau, the fisheries bureau, and the wildlife bureau.

(1) The law enforcement bureau enforces conservation laws, primarily those relating to fish and wildlife, boating, and snowmobiling. Other activities include assisting in wildlife and fisheries surveys; providing conservation information to the public; providing hunter safety, boating, and snowmobile safety training; and supervising Iowa's private shooting preserves. This bureau includes six district management offices, identified in rule 1.4(17A,455A).

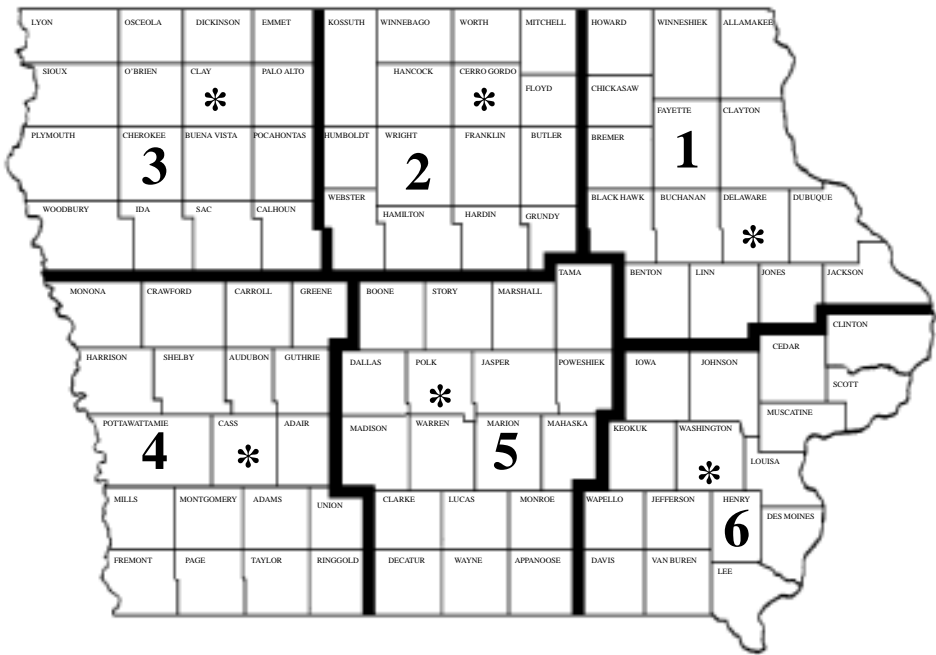
(2) The fisheries bureau manages the fishery resource. Activities include providing technical advice and assistance on fish management and disease problems in private waters; managing fish populations in public waters; collecting creel statistics; fish hatching and stocking; conducting research studies for the purpose of setting fishing seasons and for scientific knowledge; providing fishing information to the general public; and developing fishing areas and accesses.

(3) The wildlife bureau manages the wildlife resource. Activities include managing wildlife on public lands; advising private landowners on wildlife habitat improvement; conducting research studies for the purposes of setting hunting and trapping seasons and for scientific knowledge; providing wildlife information to the public; developing and maintaining public wildlife and fishing areas.

561—1.4(17A,455A) Location of offices.

1.4(1) The central office is located on the fourth and fifth floors of the Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa. The mailing address is Henry A. Wallace Building, Des Moines, Iowa 50319-0034. The general telephone numbers are (515)281-5145/8666.

1.4(2) Environmental protection division field offices (see attached maps).



ENVIRONMENTAL PROTECTION DIVISION FIELD OFFICES

Field Office No. 1
209 N. Franklin St.
Manchester, Iowa 52057
Ph.: 319/927-2640

Field Office No. 2
509 S. President
P.O. Box 1443
Mason City, Iowa 50401
Ph.: 515/424-4073

Field Office No. 3
401 Grand Avenue, Suite 20
P.O. Box 4086
Spencer, Iowa 51301
Ph.: 712/262-4177

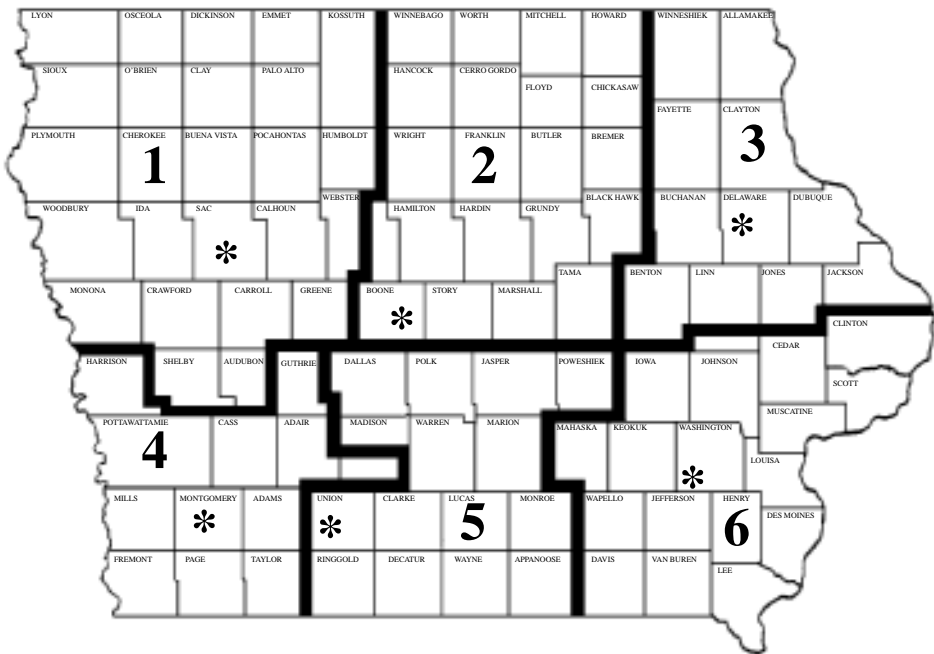
Field Office No. 4
316 Walnut
Atlantic, Iowa 50022
Ph.: 712/243-1934

Field Office No. 5
Henry A. Wallace Building
900 East Grand
Des Moines, Iowa 50319
Ph.: 515/281-3622

Field Office No. 6
117 N. 2nd Avenue
P.O. Box 27
Washington, Iowa 52353
Ph.: 319/653-2135

1.4(3) The state geologist's office is located at Trowbridge Hall, 123 N. Capitol Street, Iowa City, Iowa 52242, and the telephone number is (319)338-1173.

1.4(4) Parks and recreation bureau district offices (see attached maps).



PARKS AND RECREATION BUREAU DISTRICT OFFICES

Northwest District Field Office
Black Hawk State Park
P.O. Box 815
Lake View, Iowa 51450
Ph.: 712/657-2639

North-Central District Field Office
Ledges State Park
R.R. 1
Boone, Iowa 50036
Ph.: 515/432-1908

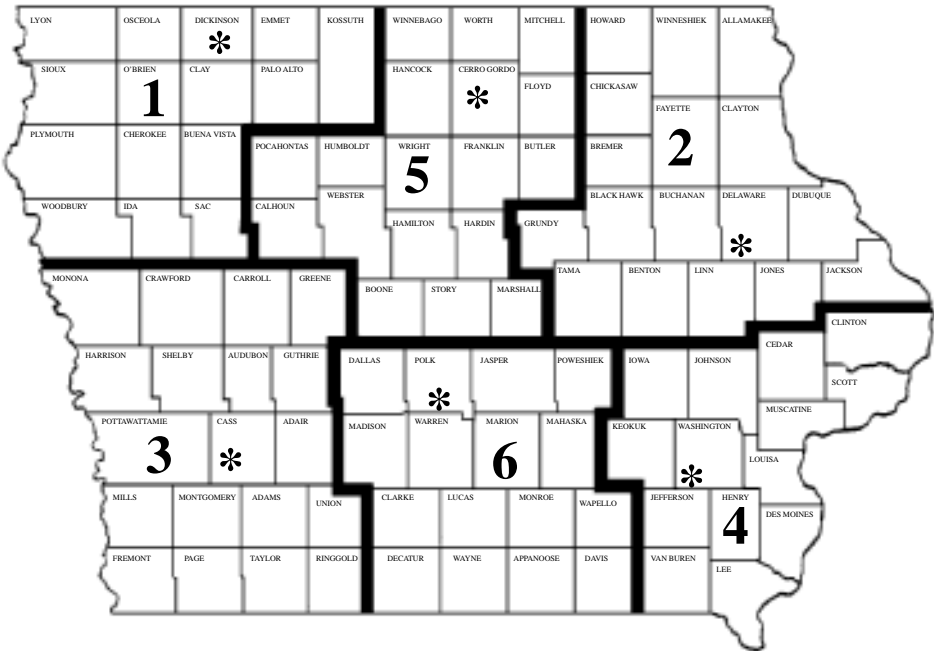
Northeast District Field Office
Box 210A, R.R. 1
Strawberry Point, Iowa 52076
Ph.: 319/924-2813

Southwest District Field Office
P.O. Box 283
Red Oak, Iowa 51566
Ph.: 712/623-2126

South-Central District Field Office
Green Valley State Park
R.R. 1
Creston, Iowa 50801
Ph.: 515/782-7814

Southeast District Field Office
Lake Darling State Park
Brighton, Iowa 52540
Ph.: 319/694-2430

1.4(5) Fish and wildlife division, law enforcement bureau district offices (see attached maps).



LAW ENFORCEMENT BUREAU DISTRICT OFFICES

District Field Office No. 1
Spirit Lake Hatchery
R.R. 1, Box 7722
Spirit Lake, Iowa 51360
Ph.: 712/336-1840

District Field Office No. 2
Manchester Fish Hatchery
R.R. 2, Box 269A
Manchester, Iowa 52057
Ph.: 319/927-3276

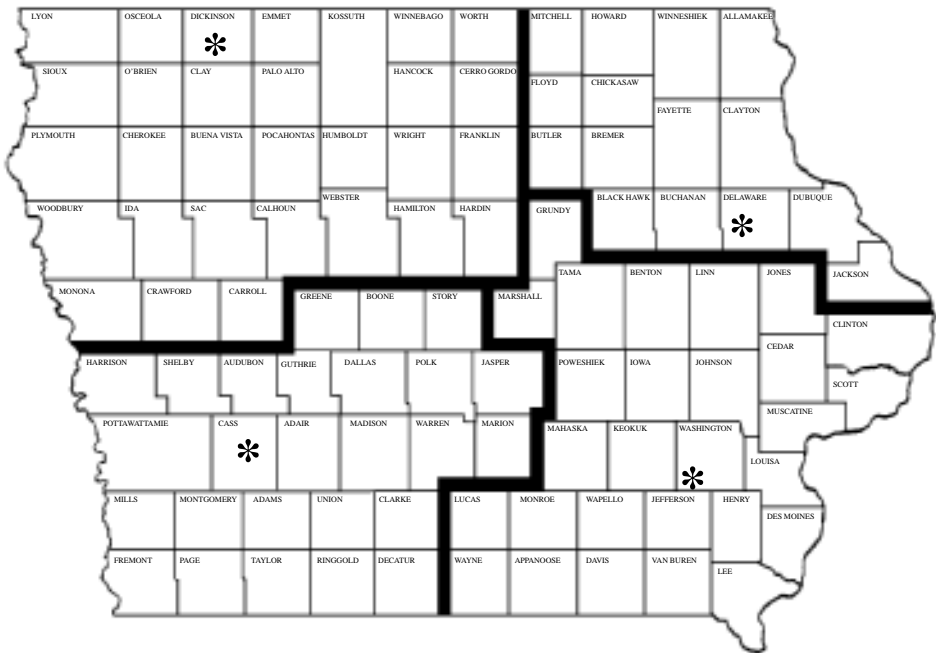
District Field Office No. 3
Cold Springs State Park
Lewis, Iowa 51544
Ph.: 712/709-2587

District Field Office No. 4
Lake Darling State Park
Brighton, Iowa 52540
Ph.: 319/694-2430

District Field Office No. 5
1203 N. Shore Drive
Clear Lake, Iowa 50428
Ph.: 515/357-3517

District Field Office No. 6
Wallace State Office Building
Des Moines, Iowa 50319
Ph.: 515/281-8174

1.4(6) Fish and wildlife division, fisheries bureau district offices (see attached maps).



FISHERIES BUREAU DISTRICT OFFICES

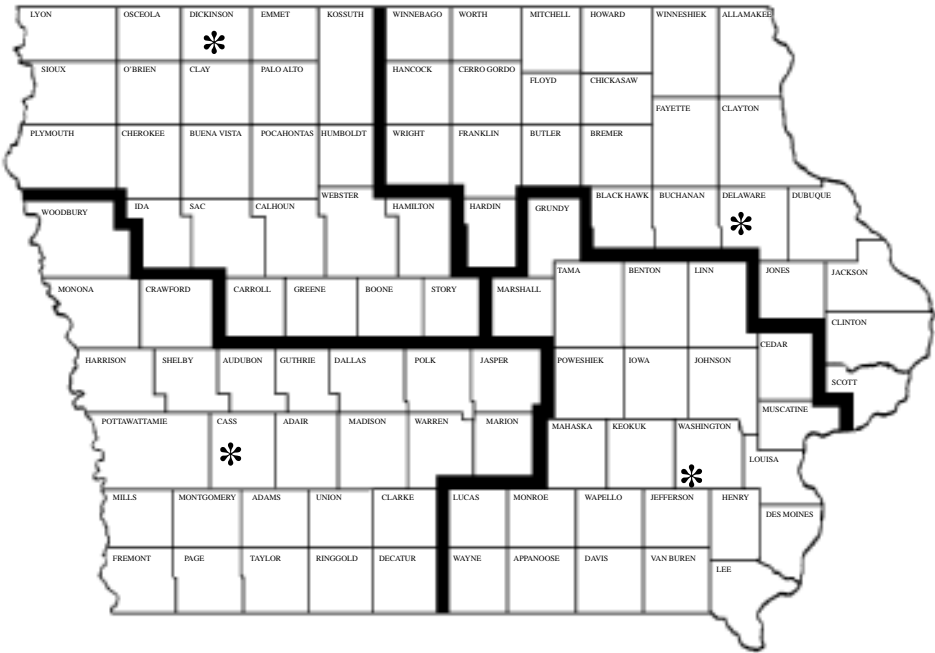
Northwest Field District Office
Spirit Lake Hatchery
Box 7722
Spirit Lake, Iowa 51360
Ph.: 712/336-1840

Northeast Field District Office
Manchester Fish Hatchery
R.R. 2, Box 269A
Manchester, Iowa 52057
Ph.: 319/927-3276

Southwest Field District Office
Cold Springs State Park
Lewis, Iowa 51544
Ph.: 712/709-2587

Southeast Field District Office
Lake Darling State Park
R.R. 1
Brighton, Iowa 52540
Ph.: 319/694-2430

1.4(7) Fish and wildlife division, wildlife bureau district offices (see attached maps).



WILDLIFE BUREAU DISTRICT OFFICES

Northwest Field District Office
Spirit Lake Hatchery
Box 7722
Spirit Lake, Iowa 51360
Ph.: 712/336-1840

Northeast Field District Office
Manchester Fish Hatchery
R.R. 2, Box 269A
Manchester, Iowa 52057
Ph.: 319/927-3276

Southwest Field District Office
Cold Springs State Park
Lewis, Iowa 51544
Ph.: 712/709-2587

Southeast Field District Office
Lake Darling State Park
R.R. 1
Brighton, Iowa 52540
Ph.: 319/694-2430

561—1.5(455A) Business hours.

1.5(1) *Normal business hours.* The normal business hours of the central office and the field offices are 8 a.m. to 4:30 p.m., Monday to Friday, except holidays.

1.5(2) *Emergency incident reports.* The 24-hour emergency telephone number for the reporting of hazardous conditions (insert correct site), radiation incidents, and air pollution emergency episodes is (515)281-8694. During nonbusiness hours this number is answered by staff of the department of public safety, who will obtain the caller's name, telephone number, and information relating to the incident. This information will be forwarded to the staff of the department of natural resources who will contact the caller.

These rules are intended to implement Iowa Code section 17A.3(1) “a” and chapter 455A.
[Filed 12/12/86, Notice 11/5/86—published 12/31/86, effective 2/4/87]